

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

RENEE M. BUTZ,	)	
	)	
Plaintiff,	)	
v.	)	
	)	C.A. No. 04-970-JJF
LAWNS UNLIMITED, LTD., and	)	
EDWARD FLEMING,	)	
	)	
Defendants.	)	
	)	

**DEFENDANTS' SECOND REQUEST FOR PRODUCTION OF  
DOCUMENTS DIRECTED TO PLAINTIFF**

Pursuant to Federal Rule of Civil Procedure 34, Defendants hereby request that Plaintiff produce to the offices of Young Conaway Stargatt & Taylor, LLP on or before thirty (30) days from the date of receipt of this Request, the following documents.

**DEFINITIONS AND INSTRUCTIONS**

1. The word "document" or "documents" as used herein is employed in the broadest possible sense under Rule 34 and shall include without limitation the original and any non-identical copy of any written, printed, typed, photographic, recorded or graphic matter, however produced or reproduced, including but not limited to, any correspondence, memoranda, notes, logs, telegrams, videotapes, audiotapes, tape recording, reports, diaries, transcripts of telephone or other conversations or any other writings of any nature whatsoever, other photographic and retrievable matter (whether taped or coded, electrostatically, electromagnetically, or otherwise) in possession, custody or control of the above-named Plaintiff and/or her attorneys.

2. “Person” refers to the plural as well as the singular of any natural person, firm, corporation, association, group, partnership or organization, unless specifically stated otherwise.

3. “You” and “your,” as used in this Request, shall mean the Plaintiff, her agents, and all other persons acting on her behalf, including her attorneys.

4. If you claim that the attorney-client, attorney work product, or any other privilege applies to any document which is sought by this Request, then with respect to that document:

- a. State the date of the document;
- b. Identify the author(s) of the document;
- c. Identify each and every person who prepared or participated in the preparation of the document;
- d. Identify each and every person for whom the document was intended as either an addressee or the recipient of a copy;
- e. Identify each and every person who has ever had possession of the document if other than the person identified in the preceding paragraph (4); and
- f. State the factual and legal basis for the claimed privilege, or specific statutory authority which provides the claimed ground for non-production.

5. This Request shall be deemed continuing so as to require further supplemental production in the event Plaintiff, or any attorney, agent, representative or professional employed by Plaintiff in connection with this litigation obtains or discovers

additional documents between the time of initial production and the time of hearing or trial.

### **REQUESTS**

1. Any and all documents relating to insurance available through your current employer, including but not limited, conditions for eligibility for such insurance, amount of employee contribution on a monthly or yearly basis, the insurance plan (“the Plan”), and any and all documents describing the coverage available under the Plan.

2. Any and all documents or correspondence between you and Optimum Choice Health Care or any other health care provider or insurer retained by Defendants during the time period of December 1, 2003 through May 1, 2004, including but not limited to, billing records, documents reflecting payments made by Plaintiff, submitted claims, rejected claim, and descriptive documents relating to insurance carried by Defendants.

3. Any and all documents containing information about insurance Defendants offered to its employees, including a copy of the plan or parts thereof, Defendants’ policy or policies relating to insurance, and payments made as co-payment, premium or contribution for insurance coverage during Plaintiff’s employment with Defendants, including copies of returned checks or credit card statements and invoices or statements.

4. All documents identified or referred to, in your answers to Defendant’s Second Set of Interrogatories Directed to Plaintiff.

5. All documents identified or referred to, in your answers to Defendant’s First Request for Admissions Directed to Plaintiff.

6. Any other document or thing in your possession or available to you, in addition to the items specified in previous sections of this Request for Production that is relevant to any issue in the litigation, including but not limited to issues of liability and/or damages and which has not been previously produced.

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca

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Attorneys for Defendants

DATED: April 27, 2007

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FOR THE DISTRICT OF DELAWARE

RENEE M. BUTZ,	)	
	)	
Plaintiff,	)	
v.	)	
	)	C.A. No. 04-970-JJF
LAWNS UNLIMITED, LTD., and	)	
EDWARD FLEMING,	)	
	)	
Defendants.	)	
	)	

**NOTICE OF SERVICE**

I, Margaret M. DiBianca, Esquire, hereby certify that on **April 27, 2007**, two (2) true and correct copies of **DEFENDANTS' SECOND REQUEST FOR PRODUCTION OF DOCUMENTS DIRECTED TO PLAINTIFF** were caused to be served by depositing same in the United States Certified Mail, Return Receipt Requested and U.S. Mail, postage prepaid to the following non-registered participant:

Renee M. Butz  
58 Hickory Drive  
Northeast, MD 21901

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca, Esq.

William W. Bowser, Esquire (Bar I.D. 2239)  
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Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

**CERTIFICATE OF SERVICE**

I hereby certify that on April 27, 2007 I electronically filed NOTICE OF  
**DEFENDANTS' SECOND REQUEST FOR PRODUCTION OF DOCUMENTS**  
**DIRECTED TO PLAINTIFF** with the Clerk of Court using CM/ECF, and, on the same day,  
caused two (2) copies of such Notice to be deposited in the U.S. Certified Mail, Return Receipt  
Requested and U.S. Mail, postage prepaid to the following non-registered participant:

Renee M. Butz  
58 Hickory Drive  
Northeast, MD 21901

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Margaret M. DiBianca, Esq.

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DATED: April 27, 2007